

REMARKS/ARGUMENTS

In this Amendment, Claims 1-15, 19 are cancelled without prejudice. Claims 16 and 18 were amended to replace the wording "sustaining structure" with the word --roller bearing--. Support for this amendment is found in original claim 19, paragraphs [0014] and [0024], and Fig. 2(b). Claim 16 was amended to clarify that the main body is "configured to be depressed in a levering action to exert a punching force" on the article to punch holes. Support for this amendment may be found in the paragraphs [0007], original claims 1, 9, and 16, Abstract of the Disclosure, and shown in the Figures. New claims 20 and 21 were added. Support for these claims may be found in original claims 5-6, 13-14, and paragraph [0023].

Claim Rejections – 35 USC § 103. The Office Action rejected claims 1-19 under Section 103(a) as being unpatentable over Faas (US Pat. 2,275,012) in view of Lee et al. (U.S. Pat. 5,749,278).

The present invention includes two levering mechanisms to conduct two continuing levering operations, respectively. The two levering mechanisms include the non-linear levering rod 20 and the main body 22, as shown in Fig. 2(a). The roller 21 is coupled to the depressing-force exerting portion B of the levering rod 20 and contacts a rubber surface located between the roller 21 and a punching structure of the main body 22. The rubber surface and the punching structure of the main body 22 are shown in Fig. 2 (a) or Fig. 2 (b) without any labeled number. The punching structure is comparable to the punching structure 11 shown in Figure 1.

In the first levering operation, the levering rod 20 transmits the external force T to the roller 21 and thereby facilitates the roller 21 to further transmit the external force T to the main body 22. Furthermore, the main body 22 is depressed in the second levering operation to punch a stack of paper sheets in response to the external force T. The levering operation principle of the main body 22 is considered well known in the art and need not be further described in detail herein.

As shown in Fig. 2(a) or Fig. 2(b) of the specification, the non-linear levering rod 20 is parallel to the main body 22, but not perpendicular to the main body 22. This is one means for effectively decreasing the volume or the accommodating height of the punching apparatus. Fig. 2(a) ~ Fig. 2(c) show that there is a distance between the bent portion D and the pivot portion C.

Faas '012. The Faas '012 patent (Figures 1~3) discloses only one leveraging operation using the actuating lever 19. This leveraging operation punches holes comparable to the “main body 22” leveraging operation described above. Contrary to the statement in the Office Action, Faas’ lever arms 19, 20 are not “non-linear” as described and claimed in the specification. Faas’ lever arms 19, 20 are linear because the external-force receiving portion, the depressing-force exerting portion, and the pivot portion are substantially aligned with one another as described in paragraph [0003]. Thus, the Faas '012 patent fails to disclose or suggest a non-linear leveraging rod as presently claimed.

Claim 16 recites “a depressing-force exerting portion disposed between said pivot portion and said bent portion and ***coupled*** to said roller bearing.” No such structures are disclosed by Faas. The verb “couple” means to connect, to join, to fasten together, to link. *Webster’s Ninth New Collegiate Dictionary*. Contrary to the statement of the Office Action, Faas’ balls 27 are not coupled to the depressing-force exerting portion of a non-linear leveraging rod. Specifically, Faas’ balls 27 are not coupled to Faas’ lever arms 19, 20. Faas specification states that Faas’ spring 17 acts to bias the ball 27 against the lever 19. Faas, page 2, right column, lines 10-14. The Office Action notes that Faas’ balls 27 “contact” the depressing-force exerting portion. However, merely pressing two objects together does not couple the two objects. In this case, the ball 27 is not connected to the lever 19, the ball 27 is not joined to the lever 19, the ball 27 is not fastened together with the lever 19 or linked to the lever 19. Therefore, Applicant submits that Faas’ balls 27 are not coupled to the lever 19. Moreover, no one skilled in the art can reasonably argue that Faas’ ball 27 is a “roller bearing” coupled to the depressing-force exerting portion.

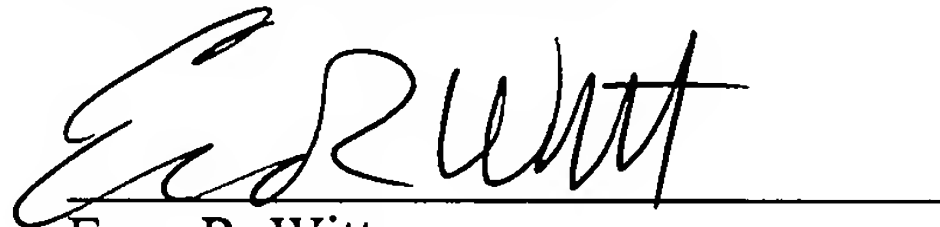
Lee et al. '278. The Lee et al. '278 patent was cited for the purpose of disclosing a bent lever arm. The Office Action further states that Lee’s force-receiving portion is at a substantially horizontal level. The Office Action argues that it would have been obvious to replace Faas’ lever 19 with the bent portion in Lee in order to make the apparatus more compact for easy storage. Even if one replaces Faas’ lever 19 with a bent lever arm as suggest in the Office Action, one skilled in the art would still not arrive at the claimed invention. The combination of Faas and Lee fails to disclose all of the claim limitations. In particular, neither Faas nor Lee discloses or suggests two leveraging mechanisms to conduct two leveraging operations. Both Faas and Lee

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disclose a leveraging operation similar to the claimed "main body" leveraging operation. Neither Faas nor Lee discloses or suggests the combination of the non-linear leveraging rod and the main body leveraging action as disclosed in the specification and presently claimed. In addition, there is no element in either citation that is equivalent to the roller bearing 21.

In view of the foregoing, Applicant submits that the rejected claims would not have been obvious from the combined disclosure of Faas and Lee and requests withdrawal of the rejection under Section 103(a). Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If there are any remaining issues preventing allowance of the pending claims that may be clarified by telephone, the Examiner is requested to call the undersigned.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "E. R. Witt", written over a horizontal line.

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